

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

Claim 1 (currently amended): A [[novel]] amorphous form of 1-amino-3,5-dimethyltricyclo[3,3,1,1^{3,7}]decane hydrochloride (memantine hydrochloride).

Claim 2 (currently amended): The amorphous form of memantine hydrochloride according to claim 1, ~~characterized by an~~ wherein the X-ray powder diffraction pattern substantially in accordance with Figure 1 lacks any discernible peaks.

Claim 3 (original): The amorphous form of memantine hydrochloride according to claim 1 containing less than about 10% crystalline memantine hydrochloride.

Claim 4 (original): The amorphous form of memantine hydrochloride according to claim 1 essentially free of crystalline memantine hydrochloride.

Claim 5 (original): A process for preparing amorphous form of memantine hydrochloride comprising the steps of dissolving memantine hydrochloride in a solvent to form a solution, and removing the solvent from the solution to afford amorphous form of memantine hydrochloride.

Claim 6 (original): The process of claim 5 wherein the solvent is removed by lyophilization.

Claim 7 (original): The process of claim 6 wherein the solvent is an aqueous solvent.

Claim 8 (original): The process of claim 7 wherein the aqueous solvent is water.

Claim 9 (original): The process of claim 6 wherein the solvent is a C₁-C₄ alcohol.

Claim 10 (original): The process of claim 5 wherein the solvent is removed by distillation.

Claim 11 (original): The process of claim 10 wherein the solvent is an aqueous solvent.

Claim 12 (original): The process of claim 10 wherein the solvent is a C₁-C₄ alcohol.

Claim 13 (original): The process of claim 12 wherein the C₁-C₄ alcohol is methanol or ethanol.

Claim 14 (original): The process of 10 wherein the distillation is performed at a pressure of about 400 mm Hg or less.

Claim 15 (original): The process of claim 14 wherein the distillation is performed at a pressure of about 80 mm Hg or less.

Claim 16 (original): The process of claim 10 wherein the distillation is performed at a pressure of from about 30 to about 80 mm Hg.

Claim 17 (original): A pharmaceutical composition comprising an amorphous form of 1-amino-3, 5-dimethyltricyclo[3,3,1,^{3,7}]decane hydrochloride (memantine hydrochloride) and pharmaceutically acceptable carrier, diluent, excipient, additive, filler, lubricant, solvent, binder or stabilizer.

Claim 18 (original): A pharmaceutical composition according to claim 17, in the form of a tablet, troche, powder, syrup, patch, liposome, injection, dispersion, suspension, solutions, capsule, cream, ointment or aerosol.

Claim 19 (cancelled): A method for the treating or preventing cerebral ischemia after apoplexy, open-heart surgery, cardiac standill, subarachnoidal hemorrhage, transient cerebro-ischemic attacks, perinatal asphyxia, anoxia, hypoglycemia, apnoea and Alzheimer's disease or conditions in which N-methyl-D-aspartate (NMDA)-receptor antagonist is implicated, including a long-term non-ischemic neurodegenerative disease, comprising administering an effective amount of an amorphous form of memantine hydrochloride according to any one of claims 1 to 4 and a pharmaceutically acceptable carrier, diluent, excipient, binder, additive, filler, lubricant, solvent or stabilizer to a patient in need thereof.